



DEC 09 2021

U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

December 7, 2021

By ECF and Email

The Honorable George B. Daniels
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, NY 10007-1312

SO ORDERED:

George B. Daniels
George B. Daniels, U.S.D.J.

Dated: DEC 09 2021

**Re: *United States v. Angel Sepulveda*, S6 15 Cr. 487 (GBD)
United States v. Angel Sepulveda, 15 Cr. 217 (GBD)**

Dear Judge Daniels:

The Government, joined by the U.S. Probation Department and without objection from defense counsel, respectfully moves to dismiss the pending specification against defendant Angel Sepulveda in the above-captioned matters. Should the Court grant the dismissal, there would be no need for the parties to appear before the Court on December 14, 2021 for a status conference.¹

As the Court is aware, a violation report dated October 26, 2020 charged one violation specification against Sepulveda for failing to participate in inpatient substance abuse treatment. Sepulveda's term of supervised release has since expired (in July 2021), but the specification remains pending. Since the specification was lodged, Sepulveda successfully completed inpatient treatment. However, following his completion of the inpatient program, and after the expiration of his supervised release term, Sepulveda tested positive for benzodiazepine, fentanyl, and methadone.

Although the Government is concerned about Sepulveda's positive drug tests, we nonetheless believe that the most appropriate course is to dismiss the sole remaining specification against Sepulveda in light of the fact that (1) Sepulveda successfully completed an inpatient program since the specification was lodged; (2) Sepulveda's violation appears to stem from drug addiction and mental health issues; (3) Probation has already expended significant

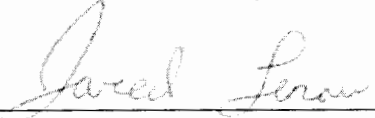
¹ The Government understands that Sepulveda is no longer in contact with his counsel or Probation, and thus it is not clear if the parties or the Court would be able to provide notice of the conference to Sepulveda.

resources on Sepulveda; (4) the specification does not involve the use of violence, and (5) Sepulveda's term of supervision has already expired.

Respectfully submitted,

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